

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES OLESTER CRANDLE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:21-cv-627-WHA
)	(wo)
DR. BLESSING, et al.,)	
)	
Defendants.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (doc. 23), and the Plaintiff's objection thereto (doc. 38).

Following an independent evaluation and *de novo* review of the file in this case, the court finds the objection to be without merit and due to be overruled.

Plaintiff James Olester Crandle brings suit against Dr. Blessing, Dr. Darbouze, Dr. Rahming, Nurse Myles, Wexford Health Sources, Inc., Dr. Barry, and Kilby Correctional Facility.

The Magistrate Judge entered a Recommendation in which she recommends dismissing Kilby Correctional Facility as a defendant pursuant to 28 U.S.C. § 1915A(b)(1), because, as a state agency, it is immune from suit, and dismissing Dr. Barry as a defendant pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim.

The Plaintiff has filed an objection in which he states wishes to proceed with the case and needs access to various medical records and recording. The Plaintiff does not make any specific objection to the Recommendation that the claims against Kilby

Kilby Correctional Facility and Dr. Barry be dismissed. The objection, therefore, fails to undermine the findings and conclusions in the Recommendation.

Accordingly, it is hereby ORDERED as follows:

1. The Objections are OVERRULED.
2. The Court ADOPTS the Recommendation of the Magistrate Judge.
3. Kilby Correctional Facility and Dr. Barry are DISMISSED with prejudice as parties in this case pursuant to 28 U.S.C. § 1915A(b)(1).

The case is referred to the Magistrate Judge for further proceedings on the Plaintiff's claims against the remaining defendants.

Done this 2nd day of February, 2022.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE